

# LAW AND CONTEMPORARY PROBLEMS

## VOLUME 71

---

A QUARTERLY PUBLISHED BY THE DUKE UNIVERSITY SCHOOL OF LAW  
DURHAM, NORTH CAROLINA

### FACULTY EDITORIAL BOARD

NEIL VIDMAR, *Chairman*

|                       |                   |
|-----------------------|-------------------|
| MICHAEL H. BRADLEY    | MARTIN P. GOLDING |
| PAUL D. CARRINGTON    | MITU GULATI       |
| CHARLES T. CLOTFELTER | JOAN AMES MAGAT   |
| BRETT CORNWRIGHT      | THERESA A. NEWMAN |

### FACULTY EDITOR

JOAN AMES MAGAT, *General Editor*

### STUDENT EDITORIAL BOARD

SARAH M. HAWKINS, *Editor-In-Chief*

ANNE BEAUMONT, *Executive Editor*

TADHG DOOLEY, *Executive Editor*

ELIZABETH A. MAGEE, *Executive Editor*

THOMAS J. TYNAN, *Managing Editor*

KATHRYN M. JOHNSON, *Lead Articles Editor*

ADAM B. HILL, *Notes & Research Editor*

ERIN A. RINN, *Special Projects Editor*

CHRISTOPHER S. DODRILL, *Articles Editor*

ERIN JANE GUSTAFSON, *Articles Editor*

MEREDITH LEVY, *Articles Editor*

MICHAEL ANTHONY PUSATERI, *Articles Editor*

ADAM COOPER, *Articles Editor*

BRIAN HURLEY, *Articles Editor*

ERIC LASHNER, *Articles Editor*

SCOTT THOMPSON, *Articles Editor*

PATRICK WOOTEN, *Articles Editor*

### STAFF EDITORS

*Third Years*

HEATHER HARRISON

NATALIE HIRT

*Second Years*

SCOTT S. BERNSTEIN

SUE CHEN

JOSHUA J. CHINSKY

CHRISTOPHER M. CRONIN

JONATHAN H. DUNN

JOSHUA HABER

KELLY HSU

INGRID KALDRE

JEFFREY G. MASON

KIMBERLY M. MAYNARD

MICHAEL A. WATSULA

DENISE M. MAYO

ADAM D. RIEDEL

JAMIE RIETEMA

ADAM L. RUCKER

JEFF SCHMIDT

ANDREW J. SCRIVEN

PATRICIA L. SINDEL

WILLIAM STEWART

JONATHAN S. TAM

J. ROBERT WALKER, IV

### ADMINISTRATIVE STAFF

BRETT CORNWRIGHT, *Director of Publication*

KELLY SMITH, *Senior Production Assistant*

---

LAW AND CONTEMPORARY PROBLEMS publishes four editions per annual volume; occasionally a double issue will span two of the four publication dates. Because each issue is a symposium, delayed submission of an article necessarily postpones publication of the issue. We ask our readers to understand and to forbear the occasional resulting irregularity.

Views expressed in articles in this periodical are attributable to the authors and not to the periodical, the editors, or Duke University.

---